

I was Chief Cabinet Secretary in the HIGASHIKUNI Cabinet. I testify that as Chief Cabinet Secretary, I wrote the attached document after consulting the authorities of the Foreign Ministry, the War Ministry and the Navy Ministry and that the answers given by Prime Minister HIGASHIKUNI in a press interview on September 18, 1945 are included in this document.

OGATA, Taketora

Statement of Official Procurement

I, R. H. LARSH, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this

6th day of November 1947

/sgd/ Richard H. Larsh  
NAME

Witness: Steve S. Yamamoto /sgd/  
Capt., Inf.

Investigator, IPS  
Official Capacity

SECRET OUTLINE OF THE REPLY  
CONCERNING RESPONSIBILITY FOR WAR, ETC. (DRAFT)

3 October 1945

## I. GENERAL RULES

The following points shall be followed and adhered strictly:

- 1) That we believe that the Empire was compelled to start the Greater East Asia War in view of the surrounding circumstances.
- 2) That the Emperor was exceedingly anxious to conclude peacefully the negotiations between JAPAN and AMERICA.
- 3) That the Emperor, in following the practice established in the application of the Constitution did not reject matters decided by the Imperial Headquarters and the Government in regards to decisions for the commencement of hostilities and the carrying out of plans for operations.
- 4) That in order to make every effort to avoid making a surprise attack while negotiations were in progress, efforts were made to communicate the notifications of the discontinuation of negotiations between JAPAN and AMERICA.

Note: That since we exercised our right of self-defense in the light of the actual circumstances of the economic pressure, etc. imposed on the Empire, we are of the opinion that the provisions of the HAGUE TREATY pertaining to the commencement of hostilities can be nullified.

- 5) That the Imperial Rescript for the declaration of war was of a domestic nature intended chiefly for the people of Japan.
- 6) That we could not deal with England and other countries separately in view of the relations existing between AMERICA and these countries at that time.

## II. BY-LAWS

## 1. Explanations Concerning the Emperor.

(1) That he ordered the government to conclude peacefully by all means, the negotiations between JAPAN and AMERICA and did not abandon this until the final phase.

(2) That the Emperor, following the practice established in the application of the Constitution, did not reject matters decided by the



Supreme Command and the Government in regards to decisions for the commencement of hostilities and the carrying out of plans for military operations.

(3) That prior to the attack on Pearl Harbor, although the Emperor had heard of the outline of military operations in the initial stages from both the Army and Navy Chiefs of Staff, he did not receive any reports concerning the details of the operation.

(4) That he understood that when the above plan of operations was to be carried out, diplomatic measure would be taken towards the American Government before resorting to arms. (However, that he did not have exact legal knowledge as to whether the above notification had to be a notification of the declaration of war as provided in the HAGUE TREATY concerning the commencement of hostilities or again, whether it would be sufficient to notify AMERICA of the discontinuation of negotiations between JAPAN and AMERICA.)

(5) That he signed the Imperial Rescript declaring war at 11:30 a.m., December 8, 1941. (However, that the above Imperial Rescript had only significance within the country since its main purpose was to inform the people that the commencement of hostilities was unavoidable.)

## 2. Concerning the Prime Minister.

(1) That he believed that in view of the actual circumstances of the economic pressure imposed upon the Empire at that time by AMERICA, BRITAIN, etc. the Greater East Asia War was unavoidable from the standpoint of self-defense.

(2) That the decision for the commencement of hostilities was agreed upon in the Liaison Conference between the Imperial Headquarters and the Government composed of the Chief of the Army General Staff, the Chief of the Naval General Staff, the Prime Minister, the War Minister, the Navy Minister, the Foreign Minister, (the Finance Minister and others participated according to the subjects) and also agreed upon in the Cabinet meeting.

(3) That the outline of operations had been reported to the Emperor by both the Army and Navy and the Prime Minister was well aware of this. (As the matter was a military secret, other government members of the Liaison Conference were kept entirely ignorant of it)

(4) That the notification of political moves and strategy were chiefly carried out by the Prime Minister, and that the Prime Minister took charge of reporting matters concerning the above to the Emperor.

3. Matters Concerning Both the Army and Navy Chiefs of Staff.

(1) That they participated in the decision for the commencement of hostilities as members of the Liaison Conference between the Imperial Headquarters and the Government.

(2) That they reported only the outline of operations for the initial stages to the Emperor. (That the report to the Emperor was to the extent that "HAWAII" was also included in the above outline.)

Notes for (2):

That the outline of the plans for military operations shall be treated as containing merely the bare framework and not including details.

4. Matters Concerning the War and Navy Ministers.

(1) That they participated in the decision to commence hostilities as members of the Liaison Conference between the Imperial Headquarters and the Government.

(2) That they had heard explanations of the contents of the plan for the initial stages of military operations from their respective chiefs of staff. (They were aware that HAWAII was also included in the area of attack.)

Notes for (2):

That in regards to the contents of the plan for military operation, they were aware of not only the outline, but also of the contents entering into considerable details pertaining to military operations for various areas.

5. Matters Concerning the Minister of Foreign Affairs.

(1) That although he exerted his utmost efforts to achieve the peaceful settlement of the Japanese-American negotiations in obedience to the Emperor's wishes, it had finally ended in failure.

(2) That he participated in the decision for the commencement of hostilities as a member of the Liaison Conference between the Imperial Headquarters and the Government.

(3) That he had received no information concerning the plan for military operations and furthermore, since political moves and strategy were unified and reported to the Emperor by the Prime Minister, the Foreign Minister did not have anything to do with this matter.



(4) That in spite of the claims made by the Supreme Command that without a surprise attack during the negotiations with AMERICA, victory would be impossible, he maintained that it was improper to launch an attack before the conclusion of the negotiations and made arrangements to communicate in advance to AMERICA, notification of the discontinuation of the Japanese-American Negotiations.

Notes for (4):

(a) That due to the unexpected length of time required for deciphering and organizing the above telegraphic notification at the Japanese Embassy in AMERICA, the notification to the American Government was delayed.

(b) That in view of the objective situation existing immediately before the opening of hostilities, the situation was such that it could not be calculated when the right of self-defense would be exercised after notification of the discontinuation of the Japanese-American negotiations is sent to America and it was under such a situation when no information was obtained of the plans of operations, that the attack on Pearl Harbor was made, and that as a consequence, we could not actually transmit notice of the declaration of war as prescribed in the HAGUE TREATY concerning the commencement of hostilities.

(5) That in regards to relations with BRITAIN, the situation was such that in view of the Anglo-American relations existing at that time, it was expected that the final notice to America and the exercise of military forces would be transmitted immediately from the American Government to the British Government and to others.

戰爭責任等三箇不應答要領(案) 昭和二〇・三

第一 一般通則

左、諸要ニ準據シ之ヲ堅持スルコト

(1) 大東亞戰爭、帝國が四國、情勢ニ鑑ミ已ハテ得サニ云  
タレモ、不信ニ惹キコト

(2) 天皇陛下ニ於ケルミテ、飽々進討米交渉ヲ平和裡ニ妥  
結セシメテコトヲ 御軫念アルヲタルコト

(3) 天皇陛下ニ於ケルミテ、開戦、決定、作戰計画、遂行等  
ニ関シテ、憲法運用ニ確立セラル居ル慣例ニ從ヒテ、大本  
營、政府、決定スル事項ヲ却下遊バサレザリシコト

(4) 日米交渉繼續中ニ奇襲ヲ加ふるコトヲ極力避ケ、萬事新日  
米交渉打切リ、通古、通達方努力セリコト

註 當時帝國ニ如キタル經濟的 壓迫等、実情ニ照シ

我々、自衛權ヲ發動スルモノニテ開戦ニ関スル海

牙條約、規定ハ阻却セシ得ルモノナリト、見解ナリ

シコト

極秘

(5) 宣戦、大詔、主トテ國民ヲ対象スル對内的モノナリコト

(6) 東國其他四國、當時、赤國、英國其他、諸國ト  
關係ニ鑑ミテ、分離ニ取扱フコトヲ得ザリシコト

EXHIBIT No.

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## 第二 細則

### 一 陛下ニ関スル説明

- (1) 飽々迄日米交渉ノ圓満ヲ結ぶヲ政府ニ御命令アリセシ  
ト最後ノ段階ニ至ル迄之ヲ御斷念アリセラレザリシト
- (2) 開戦ノ決定、作戰計畫、遂行等ニ付テハ統帥部政  
府ノ決定ナルモ、憲法運用上ノ慣例ニ従ハセラル之ヲ  
御下遊バサレザリシモノナルコト
- (3) 真珠灣攻撃以前ニ於テ陸海軍兩幕僚長ヨリ初期作  
戦ノ大綱ニ付テハ聴キ及ビシタルヲ實施細目ニ関シテハ報  
告ヲ受ケテ居ラレザリシコト
- (4) 左ノ作戰計畫ヲ實施ニ移スニ際シテハ武力行使ニ入ルニ先  
テ米國政府ニ對シ外交上ノ措置ヲ講ズルモノト了解遊年  
ニ居リシト(但シ右通エカ開戦ニ関スル海牙條約ノ規  
定ニ宣戦ヲ告、通達スルヲ要スルヲ將又日本交渉打  
切リ對米通告ニテ充分ナリニアニ関シテハ嚴格ニ法律  
的ニ御承知相成リ居ラレザリシモノナルコト)
- (5) 宣戦ノ詔書ハ昭和十六年(一九四一年)十二月八日午前  
十二時三十分御署名相成ニシタルコト(但シ右詔書國  
民ニ開戦ガ已ムヲ得ザルニ出デタルモノナリトテ御垂示  
相成ラシガ爲メ、モノニテ主トシテ國內的意義ヲ有スルモ  
ナリト)

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### 二 内閣總理大臣ニ関スル件

- (1) 大東亞戦争ハ當時帝國ニ加ヘラレタル米英等、經濟的  
壓迫等ノ實情ニ照シ自衛上已ムヲ得ザルニ出デタルモノナリ

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ト信シタルコト

(2) 開戦、決定ニ関シテハ參謀總長、軍令部總長、内閣總理大臣、陸軍大臣、海軍大臣、外務大臣等(問題ニ依リテハ大藏大臣等参加)ヲ以テ構成スル大本營政府連絡會議ニヨリ議定セラルコト及び閣議ニ於テ議定セラルコト

(3) 作戰、大綱ハ兩首脳僚長ヨリ奏上セシメテ内閣總理大臣ハ之ヲ知悉シ居リタルコト(但、連絡會議政府側構成員ニハ軍事秘密ナルヲ以テ全然之ヲ示シ居ラザリシモノナリ)

(4) 政戰兩略、統合主トシテ内閣總理大臣ニ依リテ行ハシメ關スル奏上モ專ラ内閣總理大臣之ニ當リタルコト



三、陸海軍兩大臣會議ニ関スル件

- (1) 開戦、決定ニハ大本營政府連絡會議、協議委員トシテ  
同與セラル
- (2) 初期作戰ノ大綱、陛下ニ奏上スルニ  
(右大綱中ハ「必要」モ含ム居ルニテ奏上スルハ程度ニト)
- (2) 註  
作戰計畫、大綱ハ眞ニ骨子、ミミ止メ細部ニ亙ラザリシ  
コトトシテ處理スルコト

四、陸海軍兩大臣ニ関スル件

- (1) 開戦、決定ニハ大本營政府連絡會議、協議委員トシテ  
同與セラル
- (2) 初期作戰計畫、内容ニ関シハ夫々兩軍大臣會議長  
ヨリ説明ヲ聴キ及ビアルコト(攻撃地トシテハ「」モ含メシ  
居ルコトハ承認スルニナリ)
- (2) 註  
作戰計畫、内容ハ眞ニ大綱ニ止マラス各方面、作戰ノ  
ミモ相當程度、内容ニ觸リ承認スルコト

五、外務大臣ニ関スル件

- (1) 日米交渉、日滿交渉方陛下ノ御意ヨリテ極力  
之ヲ達成ニ努メタルニ決シテ不成功ニ終リタルコト
- (2) 開戦、決定ニ関シハ大本營政府連絡會議、協  
議委員トシテ同與セラル
- (3) 作戰、計畫ニ関シハ全軍通報ヲ受テ居ラザリシニテ  
スル作戰兩略、統合及右ニ関スル奏上ハ内閣總理大臣

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之ニ當リ外務大臣ハ之ニ興ラサリトナリ

(4) 對英交渉中ニ至リテハ此ノ如クハ別ニ感得ナリトナリ  
總帥部ノ要請アリトモカクモ交渉各諸君ニ裡ニ改訂  
ノ如クハ不可ナリトナリ五張ノ日本交渉打切リ、對英  
通達ノ事前通達方手配ニナリトナリ

(4) 證

(4) 在通達後報力在英日本大使館ニ於テ解讀及  
備三二意外ノ長時間ヲ要ス英國政府ハ通達後  
間斷直前ニ於テハ空觀的捕獲ニ鑑ミ日本交渉打切  
ノ對英通達、通達後ハ同時自衛權ノ發動ヲニシ  
三則ノ下ニ於テハ此ノ如クハ何等ノ戰計畫ニ關ス  
通報ヲ得ルニ鑑ミ、對英通達ノ對英攻撃ヲ見タニ實情  
ニ及ビ、開戰ニ關スル海軍條約ノ規定ニ及ビ、宣戰  
條約ノ通達ニ及ビ、事實上ナリ得ナリトナリ

(5) 對英通達(譯文)ハ、(譯文)ハ、英國政府等ニ鑑ミ  
最後、對英通達及武力發動ノ同時英國政府ヨリ  
英國政府等、對英通達ニ及ビ、此ノ如クハナリトナリ  
其ノ居、及ビ、



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余、東久通内閣、内閣書記官長たりし  
別紙文書、余が内閣書記官長として外務陸軍  
海軍事務局と協議、上作製せしモノニテ、元四年  
九月、合東久通総理大臣が新聞記者と会見せ  
し際、其回答に此文書中ニ合ふ語はト確實ナリ

緒方 竹虎 (印)

T. Ogata

公文入手ニ関ス証明

余 R. H. ラーシュ、余が聯合國最高指揮官總司  
令部ニ關係せしモノ、ナリト、此ニ上記題名、文書、余  
が公移上、日本政府、元上記署名官使ヨリ入手シタ  
モノナルコトヲ茲ニ証明ス。

千九百四十七年 / 昭和二十二年 / 十月二日

東京ニ於テ署名

氏名欄 Richard H. Larsh

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